

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, NC

SEP 29 2021

US DISTRICT COURT
WESTERN DISTRICT OF NC

ROBERT C. BARCHIESI, and LEJLA
HADZIC, Individually and in a representative
capacity on behalf of a class of all persons
similarly situated,
Plaintiffs,

vs.

CHARLOTTE SCHOOL OF LAW, LLC and
INFILAW CORPORATION,
Defendants.

CIVIL ACTION NO. 3:16-CV-00861-GCM

ORDER

Pending is the application of the Plaintiffs and the Class filed Sept. 24, 2021, for the court to approve the distribution of \$1,983,467.52, the balance of the Settlement Fund pursuant to Sections 3, 6 and 10 of the Settlement Agreement (Doc. 98-3) approved by the court's Order Granting Final Approval of Class Settlement (Doc. 203) and the Final Judgment Order (Doc. 204). Attached as Exhibit 1 to the Plaintiffs' motion is the "Supplemental Declaration of Jason Rabe Regarding Settlement Administration" prepared by the Claims Administrator, Rust Consulting, Inc. ("Claims Administrator"), in which it details the steps taken to verify the claims and quantify the award to each claimant.

The Court approves the request of Class Counsel to approve the payment of 62 late claims. The Court finds that the Late Claimants meet requirements for excusable neglect, since loss of a windfall to timely claimants is not prejudicial, the effect of late registrants' inclusion would not be large given that there are only 62 out of 1,204 claims, and the failure to comply with the claims deadline did not deter the expedient and just resolution of claims. *In re Orthopedic Bone Screw Prod. Liab. Litig.*, 246 F.3d 315 (3d Cir. 2001).

The Court finds that the proposed distribution of the Settlement Fund is in accordance with the provisions of the Settlement Agreement as approved by the Court. The Court further finds the Defendants do not object to the relief sought by Plaintiffs.

Therefore, the Court APPROVES the Plaintiffs' Motion and directs the Claims Administrator to prepare checks so that they can be mailed within thirty (30) days from the date of entry of this order to distribute the remaining balance of the Settlement Fund. The distribution shall be subject to this court's previous orders with respect to the approval of the Settlement Agreement.

Signed: 29 Sept 21

Graham C. Mullen

United States District Judge

Prepared and Presented by:

/s/Anthony J. Majestro

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